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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/834,087	04/10/2001	Bradley S. Coon	DP-304106	2764

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EXAMINER	
VO, HUYEN X	

ART UNIT	PAPER NUMBER
2655	5

DATE MAILED: 08/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/834,087	COON ET AL.	
	Examiner	Art Unit	
	Huyen Vo	2655	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 June 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims 1, 3-8, 10-15, 17-21

4)☒ Claim(s) ~~1-21~~ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) ~~1-21~~ is/are rejected. 1, 3-8, 10-15, 17-21

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 April 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's arguments filed 6/11/2004, with respect to amended claims, have been fully considered but they are not persuasive. Below is the altered-ground of rejection, which is necessitated by the claim amendments and does not include any further prior art.

2. Applicants argue that prior art of record, Brown et al. and Zuberec et al., fails to "*teach or suggest retrieving text data from a dynamic database located within an external data source, which is one of a handheld computer, a compressed music player, a digital cellular telephone, a radio system (RDS) receiver and a digital audio broadcast (DAB) receiver*" (Amendment pages 7-9). However, Brown teaches that text data are retrieved from the database stored at the server based on request information (*figure 2 or col. 3, ln. 1-67*), and the server is a computer system (*col. 3, ln. 1-22*). Brown fails to teach that the server is a one of a handheld computer, a compressed music player, a digital cellular telephone, a radio system (RDS) receiver and a digital audio broadcast (DAB) receive. However, Thrift et al. teach a wireless communication system host (*col. 5, ln. 1-8, indicating wireless systems*). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Brown by having information stored in portable computer readily for retrieval in order to provide convenience for users to retrieve/update information in the database.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1, 3-5, 8, and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al. (US Patent No. 6587822) in view of Thrift et al. (US Patent No. 6188985).

5. Regarding claim 1, Brown et al. disclose a method for providing voice access to information stored in a dynamic database located within an external data source (figures 1-2), comprising the steps of:

providing a communication link between an external data source and a voice capable device (figure 1, network 104 connects IVR platform and servers), the voice capable device including a speech recognition application and a grammar generation application (112 of figure 2);

retrieving text data from a dynamic database located within the external data source (*col. 3, ln. 23-67, text are retrieved from remote servers*);

organizing the text data into new grammars (col. 11, ln. 60-66); and

converting the new grammars into phonetic transcriptions (col. 11, ln. 66 to col. 12, ln. 5), wherein the new and existing grammars are then available to the speech recognition application to facilitate speech recognition (referring to

elements 120 and 122 of figure 2, existing grammars were already loaded to the speech recognizer (col. 6, ln. 14-18), and the information are stored at computer servers (*figure 1*).

Brown et al. fail to specifically disclose that the external data source is one of a handheld computer, a compressed music player, a digital cellular telephone, a radio data system (RDS) receiver and a digital audio broadcast (DAB) receiver. However, Thrift et al. teach a handheld computing device (*col. 5, ln. 1-8, indicating wireless systems*).

Since Brown et al. and Thrift et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brown et al. by incorporating the teaching of Thrift et al. in order to provide convenience for users to retrieve, update, and maintain information in the database.

6. Regarding claim 8, Brown et al. disclose a speech recognition system for providing voice access to information stored in a dynamic database located within an external data source (figures 1-2), the system comprising:

a processor (130 of figure 2);

a memory subsystem for storing information coupled to the processor (132 of figure 2); and

processor executable code for implementing a speech recognition application and a grammar generation application and for causing the processor to perform the steps of (see figure 2):

providing a communication link between an external data source and the speech recognition system (figure 1, network 104 connects IVR platform and servers);

retrieving text data from a dynamic database located within the external data source (*col. 3, ln. 23-67, text are retrieved from remote servers*);

organizing the text data into new grammars (col. 11, ln. 60-66); and

converting the new grammars into phonetic transcriptions (col. 11, ln. 66 to col. 12, ln. 5), wherein the new and existing grammars are then available to the speech recognition application to facilitate speech recognition (referring to elements 120 and 122 of figure 2, existing grammars were already loaded to the speech recognizer (col. 6, ln. 14-18), and the information are stored at computer servers (*figure 1*).

Brown et al. fail to specifically disclose that the external data source is one of a handheld computer, a compressed music player, a digital cellular telephone, a radio data system (RDS) receiver and a digital audio broadcast (DAB) receiver. However, Thrift et al. teach a handheld computing device (*col. 5, ln. 1-8, indicating wireless systems*).

Since Brown et al. and Thrift et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brown et al. by incorporating the teaching of Thrift et al. in order to provide convenience for users to retrieve, update, and maintain information in the database.

7. Regarding claims 3 and 10, Brown et al. further disclose the steps of:

receiving a voice command that is directed to the external data source (Audio Interface Device 108 of figure 2);

utilizing the new and existing grammars that are necessary to interpret the received voice command (referring to elements 108, 120 and 122 of figure 2); and

controlling the external data source to perform a function associated with the received voice command (col. 3, ln. 53 to col. 4, ln. 30, upon receive command from the user, the processor issues instruction to fetch services).

8. Regarding claims 4 and 11, Brown et al. further disclose the steps of:

receiving a voice command that is directed to the external data source (Audio Interface Device 108 of figure 2);

utilizing the new and existing grammars that are necessary to interpret the received voice command (referring to elements 108, 120 and 122 of figure 2); and

retrieving information from the external data source that is associated with the received voice command (col. 3, ln. 53 to col. 4, ln. 30, upon receive command from the user, the processor issues instruction to fetch services).

9. Regarding claims 5 and 12, Brown et al. fail to specifically disclose that the external data source includes a voice interface. However, Thrift et al. teach

that the external data source includes a voice interface (elements 10b-e of figure 1). The advantage of using the teaching of Thrift et al. in Brown et al. is to enable verbal communication between the external data source and the voice capable device.

Since Brown et al. and Thrift et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brown et al. by incorporating the teaching of Thrift et al. in order to enable verbal communication between the external data source and the voice capable device.

10. Claims 6-7 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al. (US Patent No. 6587822) in view of Thrift et al. (US Patent No. 6188985), as applied to claims 1 and 8 above, and further in view of Zuberec et al. (US Patent No. 6298324).

11. Regarding claims 6 and 13, Brown et al. fail to specifically disclose a method and system of claims 1 and 8 above, respectively, for modifying at least one of the existing grammars with the phonetic transcriptions. However, Zuberec et al. teach a method for modifying grammars as a result of changing the subsets of utterances contained in the active grammar (col. 5, ln. 1-3). The advantage of using the teaching of Zuberec et al. in Brown et al. is to enable the system to recognize a wider range of words.

Since Brown et al. and Zuberec et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brown et al. by incorporating the teaching of Zuberec et al. in order to enable the system to recognize a wider range of words.

12. Regarding claims 7 and 14, Brown et al. fail to disclose a method and system of claims 1 and 8 above, respectively, that the new grammar corresponds to at least one of a new word in the database and a change in the structure of the database. However, Zuberec et al. teach that the new grammar corresponds to at least one of a new word in the database and a change in the structure of the database (col. 4, ln. 58 to col. 5, ln. 3 and col. 5, ln. 26-47). The advantage of using the teaching of Zuberec et al. in Brown et al. is to enable the system to recognize non-keywords.

Since Brown et al. and Zuberec et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brown et al. by incorporating the teaching of Zuberec et al. in order to enable the system to recognize non-keywords.

13. Claims 15, 17-18, and 20-21, are rejected under 35 U.S.C. 103(a) as being unpatentable over Zuberec et al. (US Patent No. 6298324) in view of Brown et al. (US Patent No. 6587822).

14. Regarding claim 15, Zuberec et al. disclose a speech recognition system located within a motor vehicle and providing voice access to information stored in a dynamic database located within an external data source (referring to figures 3-5), the system comprising:

a processor (100 of figure 5);

an output device coupled to the processor, the output device providing information to an occupant of the motor vehicle (68 and 110 of figure 5);

a memory subsystem for storing information coupled to the processor (102 and 106 of figure 5); and

processor executable code for implementing a speech recognition application and a grammar generation application (col. 7, ln. 59 to col. 10, ln. 32).

Wherein the external data source is a compressed music player (CD player col. 6, ln. 1-67 or figure 4).

Zuberec et al. fail to specifically disclose that the executable code and grammar generation application causes the processor to perform the steps of:

providing a communication link between an external data source and the speech recognition system, retrieving text data from a dynamic database located within the external data source, organizing the text data into new grammars; and converting the new grammars into phonetic transcriptions, wherein the new and existing grammars are then available to the speech recognition application to facilitate speech recognition.

However, Brown et al. teach that the executable code and grammar generation application causes the processor to perform the steps of:

providing a communication link between an external data source and the speech recognition system (figure 1, network 104 connects IVR platform and servers);

retrieving text data from a dynamic database located within the external data source (col. 11, ln. 60-62, via Web Browser 110 of figure 2);

organizing the text data into new grammars (col. 11, ln. 60-66); and

converting the new grammars into phonetic transcriptions (col. 11, ln. 66 to col. 12, ln. 5), wherein the new and existing grammars are then available to the speech recognition application to facilitate speech recognition (referring to elements 120 and 122 of figure 2, existing grammars were already loaded to the speech recognizer (col. 6, ln. 14-18), and the information are stored at computer servers (*figure 1*).

Since Zuberec et al. and Brown et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Zuberec et al. by incorporating the teaching of Brown et al. in order to assist the system to recognize words in the speech by using grammars.

15. Regarding claim 17, the modified Zuberec et al. further disclose the steps of: receiving a voice command that is directed to the external data source (element 68 of figure 5); controlling the external data source to perform a function

associated with the received voice command (col. 5, ln. 4-12, or referring to Audio Output 110 of figure 5).

The modified Zuberec et al. fail to disclose utilizing the new and existing grammars that are necessary to interpret the received voice command. However, Brown et al. teach utilizing the new and existing grammars that are necessary to interpret the received voice command (referring to elements 120 and 122 of figure 2, existing grammars were already loaded to the speech recognizer (col. 6, ln. 14-18). The advantage of using the teaching of Brown et al. in the modified Zuberec et al. is to assist the system to recognize words in the speech.

Since the modified Zuberec et al. and Brown et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Zuberec et al. by incorporating the teaching of Brown et al. in order to assist the system to recognize words in the speech.

16. Regarding claim 18, the modified Zuberec et al. further disclose the steps of: receiving a voice command that is directed to the external data source (element 68 of figure 5).

The modified Zuberec et al. fail to disclose utilizing the new and existing grammars that are necessary to interpret the received voice command, and retrieving information from the external data source that is associated with the received voice command. However, Brown et al. teach utilizing the new and

existing grammars that are necessary to interpret the received voice command (referring to elements 120 and 122 of figure 2, existing grammars were already loaded to the speech recognizer (col. 6, ln. 14-18)), and retrieving information from the external data source that is associated with the received voice command (col. 3, ln. 53 to col. 4, ln. 30, upon receive command from the user, the processor issues instruction to fetch services). The advantage of using the teaching of Brown et al. in the modified Zuberec et al. is to enable the system to provide services to the user with a high level of accuracy.

Since the modified Zuberec et al. and Brown et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Zuberec et al. by incorporating the teaching of Brown et al. in order to enable the system to provide services to the user with a high level of accuracy.

17. Regarding claim 20, Zuberec et al. further disclose a method for modifying grammars as a result of changing the subsets of utterances contained in the active grammar (col. 5, ln. 1-3).

18. Regarding claim 21, Zuberec et al. further disclose that the new grammar corresponds to at least one of a new word in the database and a change in the structure of the database (col. 4, ln. 58 to col. 5, ln. 3 and col. 5, ln. 26-47).

19. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zuberec et al. (US Patent No. 6298324), Brown et al. (US Patent No. 6587822), as applied to claim 15 above, and further in view of Thrift et al. (US Patent No. 6188985).

20. Regarding claim 19, the modified Zuberec et al. fail to specifically disclose a system of claim 15 that the external data source includes a voice interface. However, Thrift et al. teach that the external data source includes a voice interface (elements 10b-e of figure 1). The advantage of using the teaching of Thrift et al. in the modified Zuberec et al. is to enable verbal communication between the external data source and the voice capable device.

Since the modified Zuberec et al. and Thrift et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Zuberec et al. by incorporating the teaching of Thrift et al. in order to enable verbal communication between the external data source and the voice capable device.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen Vo whose telephone number is 703-305-8665 and email address is huyen.vo@uspto.gov. The examiner can normally be reached on M-F, 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 703-305-4827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner Huyen X. Vo

August 16, 2004

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W. R. YOUNG
PRIMARY EXAMINER